

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ROBERT ANDREW WERMUTH,)	
#189991,)	
)	
Plaintiff,)	Case No. 2:05cv644
)	
SHANNON CARROL YOUNGBLOOD,)	
et al.,)	
)	
Defendants.)	

AFFIDAVIT OF RODRICK D. CALHOUN

STATE OF ALABAMA)

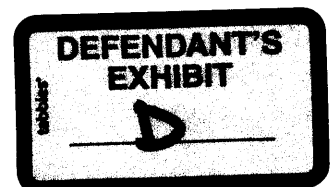
COUNTY OF MONTGOMERY)

Before me, a Notary Public in and for said State and County, personally appeared **Rodrick D. Calhoun** and, after first being duly sworn by me, did depose and state as follows:

My name is Rodrick D. Calhoun and I am over nineteen (19) years of age. I am currently employed as a Police Officer with the Montgomery Police Department, and assigned to Third Shift Patrol.

On Tuesday, September 30, 2003 at approximately 3:45 a.m., a call went out over the radio involving the pursuit of a subject (later identified as Robert Andrew Wermuth) who had attempted to run over Officer J.C. Welch. My partner, C. S. Barrier (who is no longer employed with the Montgomery Police Department), and I heard the call come over the radio and we followed the pursuit by radio as it came into our district.


During the pursuit, Wermuth made a sudden left hand turn and Sergeant Shannon Youngblood, who was the lead police unit directly behind Wermuth's vehicle, was not able to stop and collided into the rear of Wermuth's vehicle. Sergeant Youngblood's vehicle was disabled by the collision, but Wermuth continued to flee and other units continued in the pursuit. My partner and I




responded to Sergeant Youngblood's location and worked the accident. I prepared the accident report which is attached hereto as Exhibit A.

Neither Sergeant Youngblood nor I were present at the final destination where the pursuit ended and neither of us were involved in taking Wermuth into custody.

Further Affiant saith not.


Rodrick D. Calhoun

SWORN to and SUBSCRIBED before me this the 24 day of August, 2005.


Nancy K. Engel
Notary Public

My commission expires 2-8-08

SEATING		Other Involved Unit		Other Involved Unit		CODES																																																																																					
Unit 1	Unit 2	Unit 1	Unit 2	Unit 1	Unit 2																																																																																						
12 - Pedestrian 13 - Rider of Domestic Animal 14 - Occ. of Non-Motorized Vehicle 15 - Victim of Other Circumstance/ Codes Not Applicable		12 - Pedestrian 13 - Rider of Domestic Animal 14 - Occ. of Non-Motorized Vehicle 15 - Victim of Other Circumstance/ Codes Not Applicable				SAFETY EQUIPMENT 01 - None Installed 95 - Not Applicable 99 - Unknown (Any Type) Lap Belt Only 11 - Fastened 12 - Not Fastened Lap/Shoulder Harness 21 - Lap Only Used 22 - Neither Used 23 - Shoulder Only Used 24 - Both Used Motorcycle Helmet 31 - None Used 32 - Used Air Bags 41 - Deployed, Belts Used 42 - Not Deployed, Belts Used 43 - Deployed, Belts Not Used 44 - Not Deployed, Belts Not Used Child Restraints 81 - Child Restraint Used 82 - Other Restraint Used 83 - None Used Pedal Cycle/Pedestrian 91 - Contrasting Clothing 92 - Non-contrasting Clothing																																																																																					
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B - Bruise/Abrasion/Swelling		C - Not Visible—Has Pain/Faint		F - Fully		T - Trapped		M - Paramedic		U - Unknown																																																																																	
K - Killed		A - Visible or Carried from Scene		P - Partially		U - Unknown		D - Doctor		N - None																																																																																	
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NARRATIVE AND DIAGRAM <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Officer's Opinion of What Happened: <u>Vehicle 1 was attempting to flee from vehicle 2 at which time vehicle 1 made a sudden left hand turn causing vehicle 2 to collide into the rear of vehicle 1. Vehicle 1 then continued south bound on Hill St.</u></p> </div> <div style="width: 50%;"> <p>Diagram not to scale</p> </div> </div>																																																																																											
ROADWAY ENVIRONMENT <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;">Unit 1</td> <td style="width:15%;">Contributing Road Defects</td> <td style="width:10%;">Surface Construction</td> <td style="width:10%;">Condition</td> <td style="width:10%;">Accident In Or Related To Road Construction Zone?</td> <td style="width:15%;">Material in Roadway (Contributing)</td> <td style="width:15%;">Material Source</td> <td style="width:25%;">Character</td> </tr> <tr> <td>1</td> <td>1 - None</td> <td>1 - Asphalt</td> <td>1 - Dry</td> <td>1 - No</td> <td>1 - None</td> <td>1 - Not Applicable</td> <td>1 - Straight—Level</td> </tr> <tr> <td>2</td> <td>2 - Shoulders Low</td> <td>2 - Concrete</td> <td>2 - Wet</td> <td>2 - Yes</td> <td>2 - Rocks</td> <td>2 - Natural Environment</td> <td>2 - Straight—Down Grade</td> </tr> <tr> <td>3</td> <td>3 - Shoulders High</td> <td>3 - Brick</td> <td>3 - Ice</td> <td>3 - No</td> <td>3 - Oil/Petrol</td> <td>3 - Dropped From Vehicle</td> <td>3 - Straight—Up Grade</td> </tr> <tr> <td>4</td> <td>4 - Holes, Bumps, Etc.</td> <td>4 - Unpaved</td> <td>4 - Snowy/Slushy</td> <td>4 - Yes</td> <td>4 - Trees/Limbs</td> <td>4 - Already in Road, But Fell From Vehicle</td> <td>4 - Straight—Hillcrest</td> </tr> <tr> <td>5</td> <td>5 - Other</td> <td>5 - Other</td> <td>5 - Muddy</td> <td>5 - No</td> <td>5 - Dirt</td> <td>5 - Other</td> <td>5 - Curve—Level</td> </tr> <tr> <td>6</td> <td>6 - Other</td> <td>6 - Other</td> <td>6 - Other</td> <td>6 - No</td> <td>6 - Other</td> <td>6 - Other</td> <td>6 - Curve—Down Grd</td> </tr> <tr> <td>7</td> <td>7 - Other</td> <td>7 - Other</td> <td>7 - Other</td> <td>7 - No</td> <td>7 - Other</td> <td>7 - Other</td> <td>7 - Curve—Up Grade</td> </tr> <tr> <td>8</td> <td>8 - Other</td> <td>8 - Other</td> <td>8 - Other</td> <td>8 - No</td> <td>8 - Other</td> <td>8 - Other</td> <td>8 - Curve—Hillcrest</td> </tr> <tr> <td>9</td> <td>9 - Other</td> <td>9 - Other</td> <td>9 - Other</td> <td>9 - No</td> <td>9 - Other</td> <td>9 - Other</td> <td>9 - Curve—Hillcrest</td> </tr> </table>												Unit 1	Contributing Road Defects	Surface Construction	Condition	Accident In Or Related To Road Construction Zone?	Material in Roadway (Contributing)	Material Source	Character	1	1 - None	1 - Asphalt	1 - Dry	1 - No	1 - None	1 - Not Applicable	1 - Straight—Level	2	2 - Shoulders Low	2 - Concrete	2 - Wet	2 - Yes	2 - Rocks	2 - Natural Environment	2 - Straight—Down Grade	3	3 - Shoulders High	3 - Brick	3 - Ice	3 - No	3 - Oil/Petrol	3 - Dropped From Vehicle	3 - Straight—Up Grade	4	4 - Holes, Bumps, Etc.	4 - Unpaved	4 - Snowy/Slushy	4 - Yes	4 - Trees/Limbs	4 - Already in Road, But Fell From Vehicle	4 - Straight—Hillcrest	5	5 - Other	5 - Other	5 - Muddy	5 - No	5 - Dirt	5 - Other	5 - Curve—Level	6	6 - Other	6 - Other	6 - Other	6 - No	6 - Other	6 - Other	6 - Curve—Down Grd	7	7 - Other	7 - Other	7 - Other	7 - No	7 - Other	7 - Other	7 - Curve—Up Grade	8	8 - Other	8 - Other	8 - Other	8 - No	8 - Other	8 - Other	8 - Curve—Hillcrest	9	9 - Other	9 - Other	9 - Other	9 - No	9 - Other	9 - Other	9 - Curve—Hillcrest
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The data on this report reflects my best knowledge, opinion and belief covering the accident, but no warrant is made as to the factual accuracy thereof. Signature of Investigating Officer: <u>R.D. Calhoun</u> #1894 Date: <u>9/30/03</u>																																																																																											